



Crl.O.P.No.27146 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners/A1, A2 and A3 seek anticipatory bail in Crime No.1211 of 2023, registered by the respondent police for the offences punishable under Sections 286, 336 & 337 of IPC r/w Section 5 and 6 of Explosive Substances Act.

2.It is stated that A1 is the father of A2 and A3. A4 and A5 are the supervisors in a quarry run by A1, A2 and A3. The license to run the quarry had expired on 02.10.2023. Gelatine sticks and other explosive materials had been kept in the house where the workers were residing. It was found that on 15.11.2023 there was an explosion. Two complaints came to be given on that particular aspect, one in FIR in Crime No.1210 of 2023 by the one of the workers and other in FIR in Crime No.1211 of 2023 in which relief is now sought, by the Village Administrative Officer. The house of the workers had been damaged but there had been no injury caused.



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3.Taking all these factors into consideration and that there is no quarrying work done but only they had stored the Gelatine sticks and other explosive materials in the residence of the workers, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate, Palladam**, on condition that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioners may ensure that they would provide proper quarters for the workers whose houses had been damaged in the explosion and they may file necessary affidavit undertaking to do so before the Judicial Magistrate, Palladam.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

01.12.2023

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